

**REMARKS**

Claims 13-25 stand rejected under 35 U.S.C. § 102(b) as being anticipated (lacking novelty over) Beckmann '921.

Applicant cancels claims 13-25, thereby effectively rendering **moot** the rejection under 35 U.S.C. § 102(b).

Such a rejection requires that the applied reference disclose, either expressly or inherently, each limitation of each of the rejected claims, or in other words, that each of the rejected claims be **readable** on the disclosure of the reference. Applicant respectfully submits that clearly such is **not** the case here with respect to the new claims 26-28 and Beckmann '921.

New claim 26 relates to the overall installation, i.e., to the unit comprising a box packer and palleting station. The special feature is that all units or assemblies belonging to a complete box packer and palleting station are arranged in succession. The boxes are conveyed along a rectilinear transport section through the individual processing stations until they reach a palleting station where they are deposited on a box receptacle 32. At this point the boxes 10 are ready for transfer to a pallet (to be loaded) which is kept ready directly adjacent to the box receptacle. The portal robot is specially configured to execute these simple movements. The boxes are gripped by this portal robot along short paths, namely in simple conveying sections and set down on the pallet. The mobility of the portal robot or of the lifting head makes possible every relative position of the boxes on the pallet.

At least the claimed "lower carrying beam" and "upper carrying beam" are not disclosed or even suggested in Beckmann.

New claims 27 and 28 relate to a device for the handling of the pallets in the region of the palleting station. The empty pallets are transported from a position opposite the pallet loading position into the loading position in a plane below the box receptacle 32 and transverse to the transport direction of the incoming boxes. This device is shown in Fig. 1 and Fig. 2 and is described in detail in the second and third paragraphs on page 7 of the specification. On the

whole, a T-shaped layout is formed pursuant to the features of claim 27. The boxes are transported along a rectilinear path, and processed along the way, until they reach the palleting station. The pallets are held ready in a transverse orientation thereto and then conveyed further.

Beckmann does not disclose or even suggest the pallet handling station defined in claims 27 and 28 which, therefore, also are not readable on (and are not rendered obvious by) Beckmann.

The Examiner relies only on Beckmann, but Applicant submits that Berger '836 (cited in the IDS) may be a more relevant reference in broadly showing an apparatus of compact construction and simple configuration. However, Berger operates in a plurality of planes. The handling of the cartons during transfer to the pallet is disadvantageous because each carton must be moved into a special pick-up position (Fig. 2). Only then is the carton taken up. This is because the lifting conveyor 18 of Berger operates exclusively outside the region of carton packaging.

In any event, the installation of Beckmann is not designed with the objective of creating a compact simple construction but, instead, attempts to enable complex processing steps. As shown in Fig. 1 and described in the first full paragraph in column 3, various cartons with different dimensions are provided and can be processed in alternative fashion. This is not possible in a continuous production flow in which the work stations are disposed immediately adjacent to one another.

The filling of the cartons in Beckmann is also technically complex. For this purpose, a turret 33 is employed which rotates in cycles and which has a filling station, a folding station and closing station. In a fourth station the finished cartons are set down on a transport conveyor 58 as shown in Fig. 1. The further location of the carton in connection with this exemplary embodiment is not described.

Fig. 3 of Beckmann shows only a very schematic view of an overall installation for the production and handling of cartons. It provides two stations, each with a turret 33 (there is no reference number assigned to the right hand turret shown). As disclosed in the description (column 8, starting at line 22), the finished cartons 57 in this exemplary embodiment are set down on a platform 65 of a vertical conveyor. The cartons 57 are transported to a higher level, namely to a region of a second working stage 70. At an upper end position (above stage 70), the cartons are taken by the vertical conveyor 64, 65 and further transported by an overhead conveyor 68/69 (gantry robot 68). The latter transports the carton below the building's ceiling, and at any rate along a elevated plane, to a number of available pallets. The apparatus is thus configured such that a plurality of pallets are held ready at the same time for loading, obviously depending on the contents or shipping address. The completely loaded pallets are deposited in a central area of the installation.

A further difference is that, in Beckmann, the pallets are raised or lowered during loading. The palettes rest on a vertical conveyor (pallet-lifting table 71). This ensures that the cartons are always deposited on the same level by the robot 68 on a pallet or formed stack of cartons.

Thus, it is clear that Beckmann's installation is highly complex and is not compatible with the stated object of the Applicant's claimed invention and, furthermore, does not contain or even suggest all the elements in combination as recited in Applicant's new claims 26-28.

Therefore, Applicant respectfully requests Examiner Desai to reconsider and withdraw the rejection under 35 U.S.C. § 102(b) and to find the application to be in condition for allowance with claims 26-28; however, if for any reason the Examiner feels that the application is not now in condition for allowance, he is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant files concurrently herewith a Petition (with fee) for Extension of Time of two months.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be

charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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**23373**

CUSTOMER NUMBER

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